

PROB 12C
(7/93)

Report Date: October 18, 2010

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

OCT 18 2010

Eastern District of Washington

JAMES R LARSEN, CLERK
DEPUTY
WACOMA, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Randi K. Tapia

Case Number: 2:07CR00136-002

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Chief U.S. District Judge

Date of Original Sentence: 11/22/2008

Original Offense: Misprision of a Felony, 18 U.S.C. § 4

Original Sentence: Probation - 36 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Russell E. Smoot Date Supervision Commenced: 12/26/2009

Defense Attorney: Steve Hormel Date Supervision Expires: 12/25/2010

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

1 **Standard Condition # 9:** The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

Supporting Evidence: Ms. Tapia is considered in violation of the conditions of supervised release by associating with Joel Diekhoff, a person convicted of a felony, without the permission of the probation officer.

On October 5, 2010, Joel Diekhoff, who is currently under supervision with the District of Idaho, signed a document admitting to associating with Ms. Tapia.

On October 13, 2010, the undersigned officer presented Ms. Tapia with the document. Ms. Tapia admitted to associating with Joel Diekhoff and of being aware that he was a convicted felon.

2 **Standard Condition # 11:** The defendant shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.

Supporting Evidence: Ms. Tapia is considered in violation of the conditions of supervised release by failing to notify this officer of contact with law enforcement within 72 hours.

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On October 6, 2010, the undersigned officer received a report from the Coeur d'Alene Police Department. The report listed Ms. Tapia as a suspect for malicious injury.

On October 13, 2010, the undersigned officer met with Ms. Tapia and asked her if she had contact with law enforcement on October 3, 2010. Ms. Tapia admitted that she had and also that she had failed to report this contact to the undersigned officer.

3

Special Condition # 19: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Ms. Tapia is considered in violation of the conditions of supervised release by using a controlled substance, morphine, on or about October 13, 2010.

On October 13, 2010, Ms. Tapia submitted a urinalysis sample at the probation office which tested presumptively positive for opiates. On October 18, 2010, the undersigned officer received documentation from the laboratory which confirmed the presence of morphine in the urinalysis sample submitted by Ms. Tapia on October 13, 2010.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 10/18/2010

s/Samuel Najera

Samuel Najera
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other

James P. Hutton
Signature of Judicial Officer

10/18/10
Date